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SENATE BILL 2064 By
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HOUSE BILL 2112
By Buck

AN ACT to amend Tennessee Code Annotated, Section 62-26-223, for the purpose of clarifying that persons or companies who provide investigative services exclusively to and under the supervision of attorneys-at-law and who do not advertise to the general public as private investigators or investigations companies are exempt from the licensing requirements for private investigators and investigations companies.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 62-26-223(b)(3), is amended by deleting Section 62-26-223(b)(3)(B) in its entirety and by substituting instead the following:

(B) Persons who hold themselves out to the general public as private investigators or as investigations companies and who advertise to the general public as such shall not be exempt under this part. However, advertisements directed to licensed attorneys shall not constitute advertisement to the general public.

SECTION 2. Tennessee Code Annotated, Section 62-26-223(b)(3), is amended by adding the following as 62-26-223(b)(3)(C):

(C) An attorney who is licensed to practice law in the State of Tennessee may, based upon the attorney's experience and evaluation of the needs of his or her legal

representation, engage any person to provide investigative services to said attorney so long as the services are rendered under the attorney's direction and relating to the attorney's practice of law, regardless of whether or not said person has been licensed by the private investigations commission. Persons who perform investigative services for attorneys under subsection (b)(3) shall not be subject to civil or criminal penalties for providing investigative services without a license.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.